

From: Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]
Sent: June 27, 2017 11:59 AM
To: John Mann
Cc: Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]
Subject: RE: Second Request to provide answers to June 23, 2017 email Re: Indefatigable request seeking termination of the OPG DGR project as time-barred!

Dear Mr. Mann,

Thank you for your correspondence of June 23 and 27, 2017.

With regards to our response of June 20th to your correspondence of June 7th, the Agency intended the use of the word “acknowledge” in its meaning to “acknowledge receipt” of your comments. We provided our complete explanation regarding the Project’s timelines in previous correspondence (Registry records [3770](#) and [3788](#)), and wish to reiterate that the Agency’s timeline for the Project is ongoing, with 176 days remaining on the regulatory clock as of June 26, 2017.

With respect to the email sent to the Project’s interested parties on June 26th, its purpose is to communicate that the Agency has sufficient information to commence the drafting of its report as part of the environmental assessment process. The Agency’s draft report will provide a more meaningful analysis of the proponent’s responses to the February 18, 2016 request by the Minister. The next important public participation opportunity in the environmental assessment process for the Project will be to provide comments on the draft report and potential conditions later this summer.

The Agency will continue to read, consider and document all comments related to the environmental assessment of the project.

Sincerely,

DGR Project Team
Canadian Environmental Assessment Agency
22nd Floor, 160 Elgin St. Ottawa ON K1A 0H3
CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca

From: John Mann <email address removed>
Sent: June 27, 2017 9:41 AM
To: Hon. Catherine McKenna; Conditions (CEAA/ACEE); Trudeau, Justin: HOC; Jeffrey Lyash; Premier Wynne; Ken Nash; Binder, Michael: CNSC; Bonnie Lysyk; Minister Jim Carr; Michael Ferguson; Ministre / Minister (EC); Laurie Swami; Laurie Swami; Wayne Robbins; MPP Lisa Thompson; MP Ben Lobb; Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]
Cc: Amanda Pfeffer; barb; Bettyanne Cobean; Beverly Fernandez; Capitan my Capitan; Cheryl Grace; Dave Myette; David Akin; Demers,Manon [CEAA]; Don Matheson; Eugene Bourgeois; Frances Learment; fsteve finch; Smith,Heather [CEAA]; Jerry Keto; Jill Taylor; Jim Lynch; John Rich; Kristina Premachuk; Linda White; Luke Charbonneau; Mayor Buckle; Mayor Eadie; Mayor Eagleson; Mayor Inglis; Mayor Jackson; Mayor McIver; Mayor Mike Smith; Mayor Weaver; Binder, Michael: CNSC; Mike Myatt; Mike

Strobel; Mitch Twolan (Warden); Neil Menage; Pat Gibbons; info@cnscccsn.gc.ca; Information (CNSC/CCSN); Rob Dobos; Santa Claus; Sarah Patterson-Snell; Sarah Roberts; Scott Berry; Senator Hoggood; Chapman, Steve [CEAA]; Kurt Saunders; Saunders, Kurt [CEAA]; Janice MacKay; Chris Adams; Lorrie Goldstein; Fred Kuntz; Jennifer Wells; Dale Palin; W5; Mitchell Rivard; Aimee Puthon; Thomas Walkom; John Mann

Subject: Second Request to provide answers to June 23, 2017 email Re: Indefatigable request seeking termination of the OPG DGR project as time-barred!

Importance: High

June 27, 2017

Hi Minister McKenna, Robyn-Lynne Virtue, Deep Geologic Repository Project, and Prime Minister Trudeau:

1. This is the second request to provide answers to the following June 23, 2017 email set forth below.
2. We have all just received your email to interested parties announcing that CEAA (the Agency) is inexplicably "satisfied" with OPG's failed response to study any alternate DGR sites pursuant to Minister McKenna's Order.
3. The Agency was not "satisfied" with OPG's first failure to study any alternate DGR sites required by Minister McKenna's Order, yet, alarmingly, the Agency is now "satisfied" with OPG's second failure to study any alternate DGR sites required by Minister McKenna's Order! How is that remotely possible? Any student would flunk a similar basic assignment the first time around, let alone after failing a second kick at the can. As such, the government has not satisfied the requirements that Citizens and Taxpayers deserve and expect from their Public servants. In fact, OPG was mandated to perform alternate DGR site studies from the very beginning, and has failed to do so throughout the process. And this failure is even more concerning when juxtaposed against the backdrop of the most important project to ever confront our Community and Nation!
4. The most recent failed response took OPG an incredible 30 days to merely cut and paste from old archived meaningless memos. And then it took the Agency another unbelievable 30 days to read just a few pages that confirmed OPG had failed, yet once again, to even attempt to perform any alternate DGR site study. And that is okay with Minister McKenna, one of the Top 25 lawyers in Canada? Obviously, the Agency never was interested in any studies requested and was merely buying time to approve the project. Except there was no time to buy and the Statute of Limitations requires the project be terminated. Which leads to the even more astonishing fact that the Agency is proceeding to prepare a Draft report on the additional information as well as update further conditions "if the project proceeds." Aside from OPG indignantly refusing to study alternate DGR sites for yet another time, the main problem is that the project cannot proceed because it is time-barred by your own admissions found in the email chain set forth below. The urgent concern of Citizens and Taxpayers is why do you ignore your own admissions that the project is time-barred and must be terminated? Every wasteful

Taxpayer dollar that continues to be spent on this time-barred project is unacceptable. When will you follow your solemn duty and obligation on behalf of protecting the Citizens and Taxpayers from unnecessary waste of time and expense and terminate this project? The disrespect that you show Citizens and Taxpayers is palpable and beyond the pale.

Most Respectfully,

John Mann
Citizen and Registered Participant
Saugeen Shores

From: John Mann

Sent: Friday, June 23, 2017 1:46 PM

To: Hon. Catherine McKenna ; CEEA National Programs Div. conditions ; Prime Minister Trudeau ; Jeffrey Lyash ; Premier Wynne ; Ken Nash ; Michael Binder ; Bonnie Lysyk ; Minister Jim Carr ; Michael Ferguson ; Ministre / Minister (EC) ; Laurie Swami ; Laurie Swami ; Wayne Robbins ; MPP Lisa Thompson ; MP Ben Lobb ; CEEA Project Manager

Cc: Amanda Pfeffer ; barb ; Bettyanne Cobean ; Beverly Fernandez ; Capitan my Capitan ; Cheryl Grace ; Dave Myette ; David Akin ; Demers Manon ; Don Matheson ; Eugene Bourgeois ; Frances Learment ; fsteve finch ; Heather [CEAA] Smith ; Jerry Keto ; Jill Taylor ; Jim Lynch ; John Rich ; Kristina Premachuk ; Linda White ; Luke Charbonneau ; Mayor Buckle ; Mayor Eadie ; Mayor Eagleson ; Mayor Inglis ; Mayor Jackson ; Mayor McIver ; Mayor Mike Smith ; Mayor Weaver ; Michael Binder ; Mike Myatt ; Mike Strobel ; Mitch Twolan (Warden) ; Neil Menage ; Pat Gibbons ; info@cnscccsn.gc.ca ; Information (CNSC/CCSN) ; Rob Dobos ; Santa Claus ; Sarah Patterson-Snell ; Sarah Roberts ; Scott Berry ; Senator Hopgood ; Steve Chapman ; Kurt Saunders ; Kurt Saunders ; Janice MacKay ; Chris Adams ; Lorrie Goldstein ; Fred Kuntz ; Jennifer Wells ; Dale Palin ; W5 ; Mitchell Rivard ; Aimee Puthon ; Thomas Walkom ; John Mann

Subject: Indefatigable request seeking termination of the OPG DGR project as time-barred!

June 23, 2017

Hi Minister McKenna, Robyn-Lynne Virtue, and Deep Geologic Repository Project:

1. You have now “admitted” that the OPG DGR is time-barred by the 24 month Statute of Limitations:

“Dear Mr. Mann, Thank you for your correspondence of June 7, 2017, concerning [the OPG DGR]. We respectfully acknowledge your most recent comments.” [from your June 20 email below]

Black’s Law Dictionary defines “acknowledge” as “admit.”

2. Your own timelines set forth below confirm that the 24 month Statute of Limitations has time-barred the OPG DGR.

3. So the question becomes: When are you going to terminate the process?

4. Citizens and Taxpayers need more respect and accountability from our government officials.

5. As a result, please terminate the OPG DGR forthwith. We all look forward to your response.

Most Respectfully,

John Mann

Saugeen Shores

Citizen and Registered Participant

From: Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs [CEAA\ACEE]
Sent: June 20, 2017 10:08 AM
To: John Mann <email address removed>
Subject: Terminate the OPG DGR project as time-barred!
Importance: High

Dear Mr. Mann,

Thank you for your correspondence of June 7, 2017, concerning Ontario Power Generation's proposed Deep Geologic Repository for Low and Intermediate Level Radioactive Waste Project (the Project).

We respectfully acknowledge your most recent comments. Responses have been provided with regards to timelines. Please refer to the record #3770 and #3788 on the Canadian Environmental Assessment Registry Internet Site, which contain details on the various milestones and calculation of the Project timeline.

Sincerely,

DGR Project Team
Canadian Environmental Assessment Agency
22nd Floor, 160 Elgin St. Ottawa ON K1A 0H3
CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca

From: John Mann <email address removed>
Sent: June 7, 2017 1:12 PM
To: Hon. Catherine McKenna; Conditions (CEAA/ACEE); Trudeau, Justin: HOC; Jeffrey Lyash; Premier Wynne; Ken Nash; Binder, Michael: CNSC; Bonnie Lysyk; Minister Jim Carr; Michael Ferguson; Ministre / Minister (EC); Laurie Swami; Laurie Swami; Wayne Robbins; MPP Lisa Thompson; MP Ben Lobb; Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]
Cc: Amanda Pfeffer; barb; Bettyanne Cobean; Beverly Fernandez; Capitan my Capitan; Cheryl Grace; Dave Myette; David Akin; Demers,Manon [CEAA]; Don Matheson; Eugene Bourgeois; Frances Learment; fsteve finch; Smith,Heather [CEAA]; Jerry Keto; Jill Taylor; Jim Lynch; John Rich; Kristina Premachuk; Linda White; Luke Charbonneau; Mayor Buckle; Mayor Eadie; Mayor Eagleson; Mayor Inglis; Mayor Jackson; Mayor McIver; Mayor Mike Smith; Mayor Weaver; Binder, Michael: CNSC; Mike Myatt; Mike Strobel; Mitch Twolan (Warden); Neil Menage; Pat Gibbons; info@cnscccsn.gc.ca; Information (CNSC/CCSN); Rob Dobos; Santa Claus; Sarah Patterson-Snell; Sarah Roberts; Scott Berry; Senator Hoppood; Chapman,Steve [CEAA]; Kurt Saunders; Saunders,Kurt [CEAA]; Janice MacKay; Chris Adams; Lorrie Goldstein; Fred Kuntz; Jennifer Wells; Dale Palin; W5; Mitchell Rivard; Aimee Puthon; John Mann; Thomas Walkom
Subject: Terminate the OPG DGR project as time-barred!
Importance: High

June 7, 2017

Hi Minister McKenna, Robyn-Lynne Virtue, and Deep Geologic Repository Project:

This is my response to your email of June 5, 2017, set forth below this email.

Terminate the OPG DGR project as time-barred!

1. Once again, I quote your own timeline that you sent to me in your email of May 4, 2017:

“Under Section 54 of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), the Minister of Environment and Climate Change must issue a decision statement to the proponent [OPG] within 24 months [2 years] of a referral of an environmental assessment of a designated project [OPG DGR] to a review panel [on June 29, 2007 – 119 months or 10 years ago].”

This timeline that you confirmed for the OPG DGR project is found in Section 126(2) of CEAA 2012:

“The Minister must establish the time limit within which, from the day on which this Act comes into force, the decision statement that is required under section 54 in respect of the [OPG DGR] project must be issued. Subsection 54(3) applies with respect to the time limit.”

Section 54(2) of CEAA 2012 provides:

“When the decision maker has made a decision . . . the decision maker must issue the decision statement no later than 24 months after the day on which the environmental assessment of the designated [OPG DGR] project was referred to a review panel [on June 29, 2007 – 119 months ago or 10 years] under section 38.”

Section 54(3) of CEAA 2012 provides:

“The decision maker may extend that time limit by any further period – up to a maximum of three months – that is necessary to permit cooperation with any jurisdiction with respect to the environmental assessment of the designated project or to take into account circumstances that are specific to the project.”

Section 54(4) of CEAA 2012 provides:

“The Governor in Council may, on recommendation of the Minister, extend the time limit extended under subsection (3).”

This section 54(4) is limited to a one time extension up to a maximum of three months. There is no provision for further extensions. As a result, the further 3rd extension of 243 days is not permitted and is an attempt by the government to improperly ignore and override the mandatory 24 month Statute of Limitations. If the governor in council could give unlimited extensions, there would be no need whatsoever to include the 24 month Statute of Limitations in the CEAA 2012, and there would be no need to include a provision for the Minister to extend the 24 months by a maximum of 3 months or to extend for any reasons whatsoever because by your responses the Minister can obtain as much time as she needs to issue her decision

statement and the extension time is automatically unlimited. This is without any statutory authority! In addition, the Minister and the governor in council have not provided any signed Orders extending the time period along with the meaningful reasons why the extensions were necessary and reasonable. An extension is not automatic and must be granted only after providing thoughtful and meaningful reasons requiring a tolling of the mandatory 24 month Statute of Limitations. Since you have not provided Citizens and Taxpayers with the documentation leading to the extensions, it seems patently obvious that the 3 extensions were never properly documented and cannot withstand a proper review, and the last extension of 243 days is not available under the CEAA 2012 in any event.

2. Inexplicably and inexcusably and indefensibly your review of the 24 month Statute of Limitations timeline completely ignores and does not include the 60 months [5 years] from the date of the referral of the OPG DGR project to a review panel on June 29, 2007, and thru July 6, 2012. [pre-panel phase]. Furthermore, Minister McKenna failed to account for the 6 months time period between the establishment of the Joint Review Panel in January, 2012, and July 6, 2012. [panel phase]. The 24 month Statute of Limitations has therefore expired years ago and the OPG DGR must be dismissed and terminated. Furthermore, even if the 17 months and the 4 months that you describe were feasible or possible because of tolling, that would require 57 months of the 60 months to be tolled in order to add up to the 24 months [3 + 17 + 4] required before Minister McKenna could even seek her extension of the 24 months by 3 months pursuant to section 54(3). This unconscionable amount of tolling is impossible and cannot be documented. The 24 month Statute of Limitations worksheet documentation would have been posted on the OPG DGR Registry if it existed and Minister McKenna would have presented it in her answers below. The timeline worksheet simply does not exist and cannot be manufactured now because it would not survive the 24 month calculation.

3. Your cursory and undocumented timeline response related to tolling of the 24 month Statute of Limitations makes it patently obvious that Minister McKenna made no attempt to establish a concise 24 month timeline that would have had to have been meticulously documented and precise to the exact expiration of the 24 month Statute of Limitations required prior to the Minister seeking any extension pursuant to section 54(3). There is no such documented 24 month timeline that can possibly save this project from termination. And the precise and exact tolling calculation must be subject to review by Citizens and Taxpayers related to reasonable timelines for OPG to respond to reasonable and required questions from CEAA, the Joint Review Panel, and the Minister. If OPG responses are not reasonable, or if the questions and concerns to OPG from CEAA, the Joint Review Panel, and the Minister are not reasonable, or if OPG failed to respond to questions and concerns within a reasonable time period, then those instances cannot be used in tolling the 24 month Statute of Limitations. For example, there can be no tolling of the 24 months for the multiple times OPG has been asked to do something like study alternate DGR sites which OPG has continually failed to do throughout the 15 year process. And who knows when Minister McKenna will ever issue her decision statement, and if and when she does issue it, it will be suspect and not credible, not reliable, and not trustworthy because it will be accelerated and issued without proper review because of a challenged time-bar that actually expired years ago. No reviewing body or Court would ever allow this decade

long 10 year boondoggle journey of squandering and wasting Citizen and Taxpayer time and money to fit into a 2 year Statute of Limitations. In addition, after all this time and money spent, the seemingly unlimited questions and concerns that keep needing answers from OPG establishes a project that can never be trusted for the Minister to approve.

4. The CEAA has also referred us to the timeline that establishes that the OPG DGR for clothes and rags is time-barred at

<https://www.canada.ca/en/environmental-assessment-agency/news/media-room/media-room-2016/information-requests-timelines.html>

5. The responses you have provided to Citizens and Taxpayers require termination of the OPG DGR for clothes and rags as time-barred – and require Minister McKenna to dismiss the OPG DGR Application forthwith. The responses below by Minister McKenna and the Deep Geologic Repository Project are shamefully insulting and disrespectful to Citizens and Taxpayers. Your continuing multiple inadequate responses reflects the same inexplicable, inexcusable, and indefensible culture and delay that suffocated and doomed the OPG DGR project. Citizens and Taxpayers deserve better than this from all elected and unelected governmental Public servants.

Most Respectfully,

John Mann
Citizen and Registered Participant
Saugeen Shores

From: [Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs\[CEAAVACEE\]](#)
To: "John Mann"
Cc: [Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs\[CEAAVACEE\]](#)
Subject: RE: OPG's continuing failure to conduct actual alternate DGR site studies as Ordered by Minister McKenna requires dismissal of the OPG DGR project!
Date: June 5, 2017 12:03:30 PM

Dear Mr. Mann,

Thank you for your correspondence of May 30th and June 1st, concerning Ontario Power Generation's (OPG) proposed Deep Geologic Repository for Low and Intermediate Level Radioactive Waste Project (the Project).

For your information, we have summarized the following milestones in the timeline within which the Minister of Environment and Climate Change must issue a decision statement under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) for the Project:

- Prior to the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), there were no timelines set out in the legislation that applied to federal environmental assessments. The environmental assessment of the Project was referred to a review panel in June 2007, the Environmental Impact Statement was received in April 2011, and the Joint Review Panel established in January 2012. These milestones occurred under the former *Canadian Environmental Assessment Act*, and this period of time was taken into consideration when the former Minister established the timeline in which the Minister of Environment and Climate Change must issue a decision statement for the Project under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012).
- With the coming into force of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) on July 6, 2012, the Joint Review Panel's Agreement [was amended](#) and time limits were set as prescribed by [section 126 of CEAA 2012](#). The amendments established a 515-day time limit from the coming into force of CEAA 2012 for the Panel to submit its report, followed by 120 days for the Minister to issue a decision statement.
- From July 6, 2012 until May 6, 2015 the Panel worked within their 515-day timeline, i.e. 17 months. In accordance with [CEAA 2012 section 48](#), the calculation of the time limit does not include any time taken by the proponent to collect information or undertake studies necessary for the conduct of the environmental assessment. Consequently, the timeline was paused for the time taken by OPG to respond to information requests issued by the Panel. The Panel's information request packages and responses by OPG are posted on the registry, spanning various time periods from March 2012 to May 2014. As a result, the timeline was paused over approximately 17 months from July 6, 2012 up to May 2014.
- On May 6, 2015, the Panel submitted their [report](#), before the end of the 515-day time limit, at which point the timeline was set to 120 days for the Minister's decision statement. Since then, extensions granted by the Minister and the Governor in Council, as described in the Agency's previous messages, have added a total of 423 days to the time limit for the

Minister's decision. There is no limit for extensions granted by Governor in Council under [CEAA 2012 subsection 54\(4\)](#).

- OPG's response to the [February 18, 2016 request](#) by the Minister for additional information on alternate locations, cumulative effects and mitigation measures was submitted on December 28, 2016, just over 10 months following the Minister's request. On April 5, 2017, [the Agency requested additional information](#) from OPG pertaining to the December 28, 2016 submission. OPG took 51 days to provide a [response to the Agency's request](#), on May 26, 2017. The timeline is currently paused, while the Agency reviews OPG's latest submission (see the Agency's [Operational Policy Statement for Information Requests and Timelines](#)).
- As stated in previous correspondence, the Agency is working within the [243-day extension](#) provided by Governor in Council on December 12, 2016. As of April 5, 2017, 66 days of the 243-day extension were expended on the regulatory timeline, leaving 177 days for the Minister to issue a decision statement once the timeline resumes.

We trust that this overview of the key milestones provides a clear understanding of the calculation of the timeline for this project review. Please note that the Registry contains all records of significant changes to the timeline.

DGR Project | Projet de stockage de déchets radioactifs

c/o Canadian Environmental Assessment Agency | a/s de l'Agence canadienne d'évaluation
environnementale

22nd Floor, 160 Elgin St. Ottawa ON K1A 0H3 | 160, rue Elgin, 22ième étage, Ottawa ON K1A 0H3

CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca

Toll free 1-866-582-1884 | sans frais: 1-866-582-1884

From: John Mann <email address removed>

Sent: June 1, 2017 4:09 PM

To: Hon. Catherine McKenna; Conditions (CEAA/ACEE); Trudeau, Justin: HOC; Jeffrey Lyash; Premier Wynne; Ken Nash; Binder, Michael: CNSC; Bonnie Lysyk; Minister Jim Carr; Michael Ferguson; Ministre / Minister (EC); Laurie Swami; Laurie Swami; Wayne Robbins; MPP Lisa Thompson; MP Ben Lobb; Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]

Cc: Amanda Pfeffer; barb; Bettyanne Cobean; Beverly Fernandez; Capitan my Capitan; Cheryl Grace; Dave Myette; David Akin; Demers,Manon [CEAA]; Don Matheson; Eugene Bourgeois; Frances Learment; fsteve finch; Smith,Heather [CEAA]; Jerry Keto; Jill Taylor; Jim Lynch; John Rich; Kristina Premachuk; Linda White; Luke Charbonneau; Mayor Buckle; Mayor Eadie; Mayor Eagleson; Mayor Inglis; Mayor Jackson; Mayor McIver; Mayor Mike Smith; Mayor Weaver; Binder, Michael: CNSC; Mike Myatt; Mike Strobel; Mitch Twolan (Warden); Neil Menage; Pat Gibbons; info@cnscccsn.gc.ca; Information (CNSC/CCSN); Rob Dobos; Santa Claus; Sarah Patterson-Snell; Sarah Roberts; Scott Berry; Senator Hopgood; Chapman,Steve [CEAA]; Kurt Saunders; Saunders,Kurt [CEAA]; Janice MacKay; Chris Adams; Lorrie Goldstein; Fred Kuntz; Jennifer Wells; Dale Palin; W5; Mitchell Rivard; Aimee Puthon; John Mann

Subject: OPG's continuing failure to conduct actual alternate DGR site studies as Ordered by Minister McKenna requires dismissal of the OPG DGR project!

Importance: High

June 1, 2017

Hi Minister McKenna, Robyn-Lynne Virtue, & Deep Geologic Repository Project:

OPG's continuing failure to conduct actual alternate DGR site studies as Ordered by Minister McKenna requires dismissal of the OPG DGR project!

As you are aware, the OPG DGR project must be dismissed forthwith because it is time-barred by the 24 month Statute of Limitations pursuant to section 54 of the CEEA. [See my other emails putting Minister McKenna on Notice and ignored thus far.]

In addition, the May 26, 2017 response by OPG to the Order of Minister McKenna requiring studies of actual alternate DGR sites away from the Great Lakes also requires termination of the OPG DGR project for the following reasons:

1. OPG's May 26, 2017 response to Minister McKenna's Order confirms that OPG arrogantly and contemptuously continues to refuse to study actual alternate DGR sites that Minister McKenna requires, actual studies that have always been required from the beginning of the OPG DGR project for the past 15 years.

2. Minister McKenna is one of the Top 25 lawyers in Canada. As one of the Top 25 lawyers in Canada, Minister McKenna knows better than anyone that OPG's response to the Minister's critical and essential questions is utter disrespect not only to Minister McKenna, but utter disrespect to all Citizens and Taxpayers that have been paying the tab for OPG incompetent waste and squandering of Taxpayer dollars in this DGR process. So far OPG's inept 2-Track 2-DGR Taxpayer boondoggle project has only provided unlimited Taxpayer squandered funds, while the health, education, and Legal Aid departments starve. Shameful, despicable, deplorable, reprehensible, etc., etc., etc.

3. As a result, Minister McKenna must reject the OPG disrespectful and disgraceful failed response and dismiss the OPG DGR project.

4. Here is the short-list of why the OPG response to Minister McKenna rivals the most insulting and disrespectful contempts of all time:

a. As predicted in my prior emails, OPG's alternate DGR site response to Minister McKenna is the model and standard for "confirmation bias" condemned by Court of Appeal Justice Stephan Goudge in his 2008 report, i.e., OPG having incompetently and unnecessarily squandered Taxpayer dollars for the past 15 years pursuing the shameful 2-Track 2-DGR Taxpayer boondoggle, now presents a response to Minister McKenna that OPG has been on the right "track" in Kincardine because OPG "confirms its bias" that Kincardine is the best site for a DGR. OPG could not risk advising Minister McKenna that other alternate sites away from the Great Lakes would be better DGR sites because OPG would have to answer and be held accountable and responsible for its incompetent and unnecessary squandering and waste of millions and million of Taxpayer dollars over the past 15 years!

b. Ironically, OPG's response to Minister McKenna will be exhibit number 1 in opposition to a future NWMO Joint Review Panel proceeding seeking a DGR 2 for spent fuel. OPG has informed the World that Kincardine is the best site for a DGR. 80 % of that OPG DGR in

Kincardine consists of clothes and rags worn and used by nuclear workers that do not need a DGR and need no special handling and no special protection. Yet, if allowed by Minister McKenna, clothes and rags will go in the DGR at Kincardine, while NWMO is left with seeking approval for an off-site alternate DGR that has been condemned by OPG as it relates to harmless clothes and rags, particularly regarding the dangerous radioactive risks and obscene Taxpayer costs incurred because of transportation of nuclear waste off-site from Kincardine. OPG will have to oppose NWMO's alternate site for spent fuel because OPG has emphatically concluded that the DGR on-site at Kincardine is the best site for a DGR for nuclear waste. OPG would have to oppose NWMO from building a DGR for spent fuel off-site from Kincardine for the very reasons that OPG has provided Minister McKenna related to OPG's DGR for clothes and rags. OPG's finding that Kincardine is the best site for clothes and rags is much stronger as it relates to the forever dangerously highly radioactive used spent fuel nuclear waste proposed in an off-site DGR by NWMO. And the craziest thing yet about this opposition by OPG to NWMO's spent fuel DGR is the fact that OPG created NWMO, and OPG owns NWMO, and OPG and NWMO have interchangeable employees. And even crazier than that is the fact that OPG through OPG's bewildering inept 2-Track 2-DGR Citizen and Taxpayer boondoggle has invented a rule that OPG and NWMO are prohibited from sharing or communicating in any way related to any investigation or studies related to the 2-Track 2-DGR Citizen and Taxpayer boondoggle, and both DGRs must remain totally separate in every way. The federal government did not want anything to do with clothes and rags because there was nothing to do with them. Kincardine council looking for free cash Taxpayer handouts can be credited with creating along with OPG this incompetent, inept, and incomprehensible 2-Track 2-DGR Citizen and Taxpayer boondoggle of all boondoggles. And OPG is counting on Minister McKenna, a Top 25 lawyer in Canada, to become a part of this catastrophic legacy!

c. Clearly, OPG must be wondering what OPG's clone NWMO is doing investigating 21 actual alternate DGR sites for OPG's spent fuel over the next 10 years, when OPG has already concluded the DGR site at Kincardine is the best site and no actual alternate DGR sites need be investigated! I guess the radioactive danger from the clothes and rags worn and used by nuclear workers requires the best DGR and the dangerously highly radioactive forever used spent fuel nuclear waste requires a second rate, bargain basement DGR off-site! And isn't it amazing that Kincardine is the best site and it just so happens to be the site where the clothes and rags are actually stored and Kincardine council created the idea of a clothes and rags DGR that was embraced by OPG who owns all the waste and has absolutely no idea what will happen to the spent fuel nuclear waste in the future. We are not making this stuff up! As a Top 25 lawyer in Canada, what does Minister McKenna think of all of this? Thank goodness Minister McKenna can avoid having to embarrass OPG because the OPG DGR project must be terminated anyway because of the expiration of the 24 month Statute of Limitations pursuant to s. 54 of the CEA.

d. OPG can't be sidetracked from its DGR for clothes and rags by investigating and studying actual alternate DGR sites over the next 10 years because NWMO would beat OPG to the finish line with its spent fuel DGR, thus, highlighting the fact that only 1 DGR is necessary for all levels of nuclear waste. So, rather than taking the required 10 years of studying an alternate site DGR, OPG took 1 month to compile from its archives OPG's cut and paste report to Minister McKenna, OPG leadership figuring a Top 25 lawyer would not know the difference. Minister McKenna now knows how we Citizens and Taxpayers feel when confronted with the utter disrespect and arrogance of OPG, e.g., including OPG's participation in 7 years of unlawful, secret, closed DGR Bruce County meetings.

e. And this entire catastrophe and 15 years of absolute squandering and waste of Citizen and Taxpayer time and money has been created by the Kincardine council and OPG because, inexplicably and for no reason whatsoever, they prohibited highly radioactive used spent fuel nuclear waste in the DGR for clothes and rags.

f. OPG took only 1 month to file its report on alternate DGR sites without even attempting to study or investigate any actual alternate DGR site that would require 10 years that OPG required to study the Kincardine site. Would a Top 25 lawyer file this report in a Court to convince a Judge that Kincardine was the best DGR site? The OPG report does not meet the high standards of Minister McKenna, and it does not meet the high standards of any Citizen and Taxpayer.

g. The only question for OPG is why did it take an entire month to merely cut and paste a report of 145 pages compiled from old and worn-out prior drafts from other reports filed and re-filed over the past 15 years of bewildering incompetence?

h. How is it possible for OPG to find that hypothetical and computer modeling sedimentary and crystalline rock formations are "not likely" to be safe to entomb clothes and rags that were worn and used by nuclear workers throughout their careers without any special protection or special handling? Whatever you do OPG, don't bother checking any actual sites. Assume for a second that Kincardine never created the clothes and rags DGR idea. We would only be dealing with the NWMO spent fuel DGR and look at all the money we would have saved! The absurdity of it all is beyond comprehension. Yet, inexplicably, the 2-Track 2-DGR Citizen and Taxpayer boondoggle of all boondoggles forges on squandering Citizen and Taxpayer time and money! This will forever be its legacy!

i. The recent May 26, 2017 OPG response on alternate DGR sites is the same as OPG's prior response to Minister McKenna that Minister McKenna had determined to be inadequate. Minister McKenna, a Top 25 lawyer, cannot be happy with OPG to disrespect her like this after the Minister gave OPG another and undeserved kick at the actual alternate DGR site can that OPG should have addressed some 15 years ago.

j. There is one bright spot in the OPG response to Minister McKenna, that is, the milksnake is not likely to be affected by the DGR. Finally, Taxpayer dollars well spent.

5. And true to boondoggle form, our government officials have now determined prematurely that there will be no further Public Hearings related to this grave incompetent OPG response. Reprehensible! Due Process once again destroyed! I cannot believe that Minister McKenna, a Top 25 lawyer in Canada, will not provide further Public Hearings to preserve all Citizens and Taxpayers right to Due Process and protect our section 7 Charter rights to life, liberty, and security, particularly as it relates to the most important process that will ever confront our wonderful Community and the Great Lakes forever!

6. While all of this incompetence requires dismissal of the OPG DGR project, thankfully, Minister McKenna doesn't have to address this inept process in her termination Order because the 24 month Statute of Limitations requires termination of the OPG DGR project that puts an end to this continuing and seemingly unlimited squandering and waste of Citizen and Taxpayer time and money on this OPG DGR for clothes and rags that do not need a DGR and do not need any special handling or special protection – while spent fuel remains on the surface without any resolution whatsoever! Stop the madness!

As a result, Minister McKenna must dismiss and terminate the OPG DGR project forthwith. We look forward to the Minister's swift response.

Most Respectfully,

John Mann
Citizen and Registered Participant
Saugeen Shores